NOVA SCOTIA

Nova Scotia Freedom of Information and Protection of Privacy Act

2005 Annual Report

N.S. Department of Justice
June 1, 2006

2007-05864/

Message from the Minister of Justice

I am pleased to provide the third annual Department of Justice report on activity under the Nova Scotia *Freedom of Information and Protection of Privacy Act*. It reflects the government's accountability under this legislation, and continues to fulfill the commitment to annually report on the statistics regarding applications under the *FOIPOP Act*. It also marks the second year that we have provided data on all public bodies and municipalities who are subject to the legislation, and who have been known in the past to receive some FOIPOP applications.

Our staff have diligently attempted to capture the total activity in both areas by gathering the data that is summarized in the following pages. Because we rely on other organizations to provide statistics, we caution that we cannot guarantee 100 percent accuracy. However, it is our view that the information contained in this report is a accurate representation of activity under the legislation. I also note that the data does not, with the exception of information about fees collected, reflect the statistics of the Freedom of Information and Protection of Privacy Review Office.

This report also marks the first year that we are reporting on total activity under the Government's and individual department's routine access policies that were instituted in the fall of 2003. This data reflects the commitment that my department made last year to begin reporting on this activity on an annual basis. While the total number of requests under routine access policies are significant, I would note that the vast majority of these requests were processed by the Nova Scotia Department of Environment and Labour. It is my understanding that the routine access policies of the vast majority of departments, agencies, boards, and commissions are also readily accessible through each of their web sites.

Hon. Murray Scott
Minister of Justice

Table 1[1]: Summary of 2001- 2005[2] FOIPOP Applications and Disclosure Decisions

	# Received	# Completed	Full	Part	Denied	No Record	Excluded	30 Days	30+ Days	60+ Days
2001	1072	788	274	285	70	144	15	501	216	71
2002	1037	910	271	416	56	136	31	535	238	137
2003	727	622	206	290	35	84	7	400	129	93
2004	857	748	237	386	33	83	9	464	192	92
2005	761	675	195	364	17	82	17	382	222	71
Totals	**4,454**	**3743**	**1183**	**1741**	**211**	**529**	**79**	**2282**	**997**	**464**

Table 2: Summary of 2004 - 2005[3] FOIPOP Application and Disclosure Decisions

	# Received	# Completed	Full	Part	Denied	No Record	Excluded Section 4	7(2) & 7(4)	30 Days	30+ Days	60+ Days
2004	1071	947	359	435	49	87	11	6	599	219	129
2005	1054	937	347	419	42	106	15	8	572	267	98

Table 2 reflects Table 1 plus the addition of district health authorities, university and school boards, municipalities, and police services whose statistics have been captured since 2004.

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[1] Source: Office of the FOIPOP Coordinator, N.S. Department of Justice;

[2] On this table and all subsequent tables (except where otherwise noted), the stats include school boards and universities since 2001, but do not include regional health authorities or hospitals who have been under the *Act* since 1994. Also, these statistics do not include municipalities which were covered under FOIPOP provision of Part XX of the *Municipal Government Act* as of April 1, 1999. The statistics do include all government departments, as well as agencies, boards, and commissions, and the NS Community College, known to have received FOIPOP applications.

[3] The stats for this table include all public bodies covered under the *FOIPOP Act* and Part XX of the *Municipal Government Act* (i.e. N.S. Government, school boards, universities, district health authorities, municipalities, and police services). Statistics for district health authorities, municipalities, and police services were captured for the first time in 2004.

Table 3: 2001-2005 Access Decisions and Response Times by Percentage

	Full	Part	Denied	No Record	Sections 7(2) & 7(4)	0-30 Days	30-60 Days	60+ Days
2001[4]	34.8%	36.2%	8.9%	18.3%	1.9%	63.6%	27.4%	9%
2002	29.8	45.7	6.2	14.9	3.4	58.8[5]	26.2	15.1
2003	33.1	46.6	5.6	13.4	1.1	64.4[6]	20.6	14.8
2004	37.9	45.9	5.2	9.2	1.8	62	25.7	12.3
2005	37.3	44.7	4.5	11.3	.9	54.4	25.6	9.4

Table 4: 2001-2005[7] N.S. Government FOIPOP Applications By Information Type

	# Received	Personal	General	Personal/ General	# Completed	Personal	General	Personal/ General
2001	687	119	541	27	497	83	396	18
2002	981	260	631	90	858	232	543	83
2003	678	177	416	85	577	143	370	64
2004	779	141	520	118	674	142	433	99
2005	761	225	480	56	675	190	422	63
Totals	**3,886**	**922**	**2,588**	**376**	**3281**	**790**	**2164**	**327**

[4]Percentage totals more than 100% because of rounding;2001-2003 percentages reflect Table 1 data, while 2004 and 2005 percentages reflect Table 2 Data

[5]Percentage totals more than 100% because of rounding.

[6]Percentage totals less than 100% because of rounding.

[7] Tables 4 and 5 includes information only for those departments on the government network

Table 5:[7] **2001-2005 Source of N.S. Government FOIPOP Applications by Percentage**

	# Received	Academic	Media	Political Party	Public	Business	Other	Public Interest
2001	1072	0	11.7	22.9	43.9	8.9	5.6	7
2002	1037	0.8	11.2	26.9	48.1	6	4	3
2003	727	0.8	7.6	19.1	46.5	22	3.2	0.8
2004	857	0.2	3.4	27.8	40.3	22.6	3.3	2.4
2005	761	0.1	2.9	19.3	45.2	28.1	2	2.4
Totals	4454	0.4%	7.4%	23.2%	44.8%	17.5%	3.6%	3.1%

Table 6[8]: 2001-2005 FOIPOP Fees Collected

Year	Record of Fees Collected
2001	$5,584.60
2002	$15,931.10 processing fees 775.00 review fees
2003	$17,155.56 processing fees 1,125.00 review fees
2004	$31,505.75 processing fees 1,225.00 review fees
2005	$22,345.67 processing fees 1,125.00 review fees
Total Fees	$96,772.68

[8] For 2004 and 2005, the data includes all fees collected by public bodies and municipalities. For the years 2001-2003, it reflects only fees collected by government public bodies

Table 7 includes all government departments, district health authorities, university and school boards, municipalities, and police services.

Table 7: 2005 Applications by Government Department or Public Body

Department Name	Total # FOIPOP Applications Received	Total # FOIPOP Applications Completed
Government Departments		
Aboriginal Affairs	1	1
Acadian Affairs	0	0
Agriculture & Fisheries	14	9
Archives & Records Management	0	0
Communications Nova Scotia	4	5
Community Services	157	141
Department of Energy	2	2
Economic Development	14	18
Education	34	24
Emergency Measures Organization	0	0
Environment & Labour (Includes Alcohol and Gaming Authority, Fire Marshal, Occupational Health and Safety)	317	296
Executive Council	1	1
Finance	8	5
Health	59	51
Human Rights Commission	6	7
Immigration	0	0
Intergovernmental Affairs	1	1
Justice	41	30
Natural Resources	13	13
Nova Scotia Business Inc.	8	9
Nova Scotia Film Board	0	0
Nova Scotia Insurance Review Board	1	1
Office of Health Promotion	4	5

Police Commission	0	0
Premier's Office	3	2
Public Service Commission	5	3
Public Prosecution Service	21	19
Securities Commission	0	0
Service Nova Scotia & Municipal Relations	12	7
Sport & Recreation Commission	0	0
SYSCO	0	0
Tourism, Culture and Heritage	7	7
Transportation & Public Works	23	15
Treasury & Policy Board	5	3
Utility & Review Board	0	0
Workers' Compensation Appeals Tribunal	0	0
Other Government Public Bodies		
Halifax-Dartmouth Bridge Commission	0	0
InNOVACorp	1	0
Nova Scotia Community College	2	0
Nova Scotia Film Development Corporation	0	0
Nova Scotia Gaming Corporation	2	0
Nova Scotia Legal Aid	1	0
Nova Scotia Liquor Corporation	8	1
Nova Scotia Public Service LTD Plan	3	3
Trade Centre Ltd.	0	0
Waterfront Development	0	0
Workers' Compensation Board	7	1

University and School Boards		
Acadia University	8	2
Annapolis Valley Regional School Board	1	0
Atlantic School of Theology	0	0
Cape Breton-Victoria Regional School Board	3	1
Chignecto-Central Regional School Board	2	1
Conseil Scolaire Acadien Provincial	1	1
Dalhousie University	4	0
Halifax Regional School Board	8	4
Mount Saint Vincent University	5	0
Nova Scotia Agricultural College	0	0
Nova Scotia College of Art & Design	0	0
Saint Mary's University	2	0
South Shore District School Board	8	2
St. Francis Xavier University	2	0
Strait Regional School Board	1	1
Tri-County School Board	2	2
Universite Sainte-Anne	1	1
University College of Cape Breton	5	0
University of King's College	0	0
District Health Authorities		
Annapolis Valley District Health Authority	0	0
Cape Breton District Health Authority	1	1
Capital District Health Authority	16	4
Colchester East Hants Health Authority	0	0
Cumberland Health Authority	0	0
Guysborough Antigonish Strait Health Authority	0	0
IWK Health Centre	1	0
Pictou County District Health Authority	0	0
South Shore District Health Authority	0	0
South West Health	0	0

Cape Breton Regional Municipality	4	0
Digby Area Recreation Commission	0	0
Digby Water Commission	0	0
Halifax Public Libraries	0	0
Halifax Regional Municipality	39	3
Halifax Regional Water Commission	0	0
Lunenburg/Queens Regional Development Agency	0	0
Municipality of the County of Annapolis	2	0
Municipality of the County of Antigonish	0	0
Municipality of the District of Argyle	0	0
Municipality of the District of Barrington	0	0
Municipality of the District of Chester	0	0
Municipality of the County of Inverness	0	0
Municipality of the County of Kings	1	0
Municipality of the County of Pictou	0	0
Municipality of the County of Richmond	3	2
Municipality of the County of Victoria	0	0
Municipality of the District of Clare	0	0
Municipality of the District of Colchester	0	0
Municipality of the District of Cumberland	0	0
Municipality of the District of Digby	0	0
Municipality of the District of Guysborough	0	0
Municipality of the District of Hants East	*NR	
Municipality of the District of Lunenburg	3	1
Municipality of the District of Shelburne	0	0
Municipality of the District of St. Mary's	0	0
Municipality of the District of West Hants	6	1
Municipality of the District of Yarmouth	0	0
Region of Queens Municipality	0	0
South Shore Regional Library	0	0
Town of Amherst	2	0
Town of Annapolis Royal	0	0

Town of Antigonish	0	0
Town of Berwick	0	0
Town of Bridgetown	0	0
Town of Bridgewater	0	0
Town of Canso	0	0
Town of Clark's Harbour	0	0
Town of Digby	0	0
Town of Hantsport	0	0
Town of Kentville	0	0
Town of Lockeport	0	0
Town of Lunenburg	0	0
Town of Mahone Bay	0	0
Town of Middleton	0	0
Town of Mulgrave	0	0
Town of New Glasgow	0	0
Town of Oxford	0	0
Town of Parrsboro	0	0
Town of Pictou	0	0
Town of Port Hawkesbury	0	0
Town of Shelburne	0	0
Town of Springhill	0	0
Town of Stellarton	0	0
Town of Stewiacke	0	0
Town of Trenton	0	0
Town of Truro	0	0
Town of Westville	0	0
Town of Windsor	0	0
Town of Wolfville	0	0
Town of Yarmouth	0	0

Police Services		
Amherst Police	1	0
Annapolis Royal Police	0	0
Bridgewater Police	0	0
Cape Breton Regional Police	84	3
Halifax Regional Police	49	3
Kentville Police	0	0
New Glasgow	1	0
Springhill Police	0	0
Stellarton Police	0	0
Trenton Police	0	0
Truro Police	2	0
Westville Police	1	0
	1054	713

Table 9: 2004 Applications by Government Department or Public Body

Department Name	Total # FOIPOP Applications Received	Total # FOIPOP Applications Completed
Departments on the Tracking System		
Aboriginal Affairs	0	0
Agriculture and Fisheries	6	4
Archives and Records Management	0	0
Communications NS	1	0
Community Services	122	107
Economic Development	22	11
Education	31	21
Emergency Measures Organization	0	0
Environment and Labour	325	299
Energy	5	4
Executive Council	7	4
Finance	15	14
Health	71	68
Human Rights Commission	4	4
Intergovernmental Affairs	3	3
Justice	45	44
Natural Resources	21	20
Nova Scotia Business Inc.	17	8
Nova Scotia Insurance Review Board	1	1
Office of Health Promotion	9	6
Police Commission	1	1
Premiers Office	3	3
Public Prosecution Service	14	10
Public Service Commission	6	4
Securities Commission	0	0
Service Nova Scotia and Municipal Relations	20	18
Sport and Rec Commission	1	1

Department Name	Total # FOIPOP Applications Received	Total # FOIPOP Applications Completed
Tourism and Culture	6	6
Transportation and Public Works	19	9
Treasury and Policy Board	4	4
Utility and Review Board	0	0
Workers Compensation Appeals Tribunal	0	0
Public Bodies Not on the Government Network		
Colchester County Children's Aid Society	1	1
NS Community College	0	0
Halifax-Dartmouth Bridge Commission	0	0
In*NOVA*Corp Inc.	0	0
NS Film Development	1	0
NS Gaming Corporation	6	6
NS Legal Aid	0	0
NS Liquor Commission	18	18
NS Public Service LTD Plan	1	1
School Boards and Universities	35	33
Waterfront Development	3	3
Trade Centre Ltd.	4	3
Workers Compensation Board	9	9
Total	**857**	**748**

Summary of 2003-2005 Routine Access Requests

	# Received	# Completed	Full	Part	Denied	Policy Not Applicable	No Record	30 Days	30+ Days	60+ Days
2003	37	30	22	5	1	2	0	28	1	1
2004	3,419	3,393	757	69	1	11	2,555	3,206	184	3
2005	4,220	4,220	953	23	1	11	3,232	3,826	219	175
Totals	**7,676**	**7,643**	**1,732**	**97**	**3**	**24**	**5,787**	**7,060**	**404**	**179**